Inheritance Law in the Qur'an

Dear readers! In this brief book, Allah willing, we will understand the Law of Inheritance as described in the Qur'an. To understand the law of inheritance, it is necessary to keep the following points in mind.

- If Zaid gives two hundred & forty rupees to his son and says, "You four brothers should divide this money equally among yourselves, and give one-third (1/3) of it to the mosque and one-fourth (1/4) of it to the orphanage," then this will necessarily mean that Zaid's son must first give eighty rupees to the mosque and sixty rupees to the orphanage, and then divide the remaining hundred rupees equally between himself and his three brothers. Thus, each brother will receive twenty-five rupees. This is a perfectly common-sense matter that anyone can easily understand.
- If someone were to say, "Divide 100 rupees equally among five people in such a way that each of the five people receives one-fourth (1/4) of this money," then this statement would be completely incorrect according to the principles of mathematics and, as a result, impossible to implement. Only a person who lacks a basic understanding of mathematics could say such a thing. There is no possibility at all that Allah, the Exalted would issue such a command. According to the prevailing interpretation of the Qur'anic law of inheritance, in some cases the shares of the heirs exceed the entire estate; this happens only because the law of inheritance given by Allah is not properly understood.
- To understand what someone says, we reflect on their words and thereby grasp the meaning. In order to understand Allah's words, it is necessary to reflect on Allah's words (that is, the Qur'an). Generally, we try to understand Allah's message (the Qur'an) only through other books and do not reflect directly on the words of the Qur'an. This is why, in some matters, our understanding of the Qur'an is not actually based on the Qur'an itself.
- The Qur'an has been designated by Allah Almighty as الفرقان (**Al-Furqan**), meaning **The Criterion** by which truth and falsehood can be distinguished. This means that anything which is in accordance with the Qur'an is true, and anything that goes against the Qur'an is false. Therefore, for something to be deemed false, it is sufficient that it contradicts the Qur'an.
- In fact, the law of inheritance in the Holy Qur'an is quite straightforward. However, two major errors in its conventional interpretation have not only made it appear complex but also rendered it impracticable in certain situations. In-sha-Allah, we will see that once these errors are corrected, the law becomes clear and readily understandable directly from the Qur'anic verses themselves. Those two mistakes will, ان شاء الله, be identified and explained in the course of this discussion.

Important Note: In this book, the term **"entire estate"** refers to everything left behind by the deceased, while **"total estate"** refers to the portion remaining after all bequests and debts have been fully settled. These two terms have been adopted by us

merely for ease of reference and understanding; otherwise, they do not have any independent terminological or juristic status.

First, we will present the relevant verses of the Holy Qur'an, and then, إِنْ شَاءَ اللّٰه, with Allah's guidance, we will understand them.

كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرَانِ الْوَصِيَّةُ لِلْوَالِدَيْنِ وَالْأَقْرَبِيْنَ بِالْمَعْرُوفِ ۚ حَقًّا عَلَى الْمُتَّقِيْنَ

It is enjoined upon you that when death approaches any of you, and he leaves something of value, a bequest should be made in favor of his parents and immediate relatives, fairly. This is an obligation upon those who are mindful of Allah. (Surah Al-Baqarah Verse 180)

فَمَنْ بَدَّلَهٗ بَعْدَ مَا سَمِعَهٗ فَإِنَّمَآ إِثْمُهٗ عَلَى الَّذِيْنَ يُبَدِّلُوْنَهٗ ۭ إِنَّ اللّٰهَ سَمِيْعٌ عَلِيْمٌ

So whoever alters it (i.e. the bequest) after he has heard it—then the sin is only upon those who have altered it. Indeed, Allah is Hearing and Knowing. (Surah Al-Baqarah Verse 181)

فَمَنْ خَافَ مِنْ مُّوْصٍ جَنَفًا أَوْ إِثْمًا فَأَصْلَحَ بَيْنَهُمْ فَلَآ إِثْمَ عَلَيْهِ ۚ إِنَّ اللّٰهَ غَفُوْرٌ رَّحِيْمٌ

But if one fears from the bequeather [some] error or sin and corrects that which is between them (i.e., the concerned parties), there is no sin upon him. Indeed, Allah is Forgiving and Merciful. (Surah Al-Baqarah Verse 182)

In the above-cited Surah Al-Baqarah Verse 180, Allah Almighty has made it obligatory upon the righteous that when death approaches them and they are leaving behind some wealth, they should make a fair bequest in favor of their parents and close relatives. Generally, in discussions of inheritance, this verse is often overlooked on the assumption that after the revelation of the verses specifying the shares of the fixed-heirs (ذَوِى الْفُرُوْضِ), the ruling given in this verse stands abrogated.

Although the command mandating a bequest may rightfully be deemed abrogated, the institution of bequest itself remains fully valid, as is evident from the very verses regarded as the abrogating ones, for they repeatedly emphasize that the distribution of an estate is to take place only after the fulfillment of deceased's bequest (and the settlement of debts). Such repeated insistence clearly demonstrates that bequest not only continues to hold legal validity, but has also been accorded immense significance by Almighty Allah.

A common area of confusion concerns the inheritance rights of the deceased's orphaned grandchildren. It is therefore reasonable to infer that the institution of bequest has been deliberately preserved to address precisely such circumstances, where financially vulnerable close relatives might otherwise be left deprived. In such cases, given the high importance accorded to bequest, making a bequest in their favor should be regarded as well-nigh obligatory for a righteous person.

Surah al-Baqarah Verse 180 provides a clear remedy for such a situation by allowing a portion of the estate to be allocated to orphaned grandchildren through a bequest. Furthermore, Verse 182 states that if someone fears that a testator has erred—whether unintentionally or through deliberate injustice—and intervenes to reconcile the concerned parties and rectify the bequest, there is no sin upon him. While the verse speaks in terms of

apprehension, the case of a deceased person leaving financially vulnerable orphaned grandchildren without any provision appears to go beyond mere suspicion and amount to a manifest omission. In such circumstances, persuading the relevant parties to allocate a portion of the estate to those orphans as a bequest would not only be free of sin but also a source of reward.

It is both reasonable and self-evident that, since Allah Almighty has prescribed shares for the fixed-heirs while simultaneously retaining the provision for bequest, the bequest must necessarily be subject to a limit. In this regard, the Messenger of Allah Muhammad ﷺ has specified the limit for bequest as: "**one-third, and even one-third is too much**."

The three verses of the Noble Qur'an in which Allah Almighty has specified the shares of the heirs are as follows:

يُوْصِيْكُمُ اللّٰهُ فِيْٓ أَوْلَادِكُمْ ۖ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ ۚ فَإِنْ كُنَّ نِسَآءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ ۚ وَ إِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ ۭ وَ لِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهٗ وَلَدٌ ۚ فَإِنْ لَّمْ يَكُنْ لَّهٗ وَلَدٌ وَّ وَرِثَهٗٓ أَبَوٰهُ فَلِأُمِّهِ الثُّلُثُ ۚ فَإِنْ كَانَ لَهٗٓ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ مِنْ بَعْدِ وَصِيَّةٍ يُّوْصِيْ بِهَآ أَوْ دَيْنٍ ۭ اٰبَآؤُكُمْ وَأَبْنَآؤُكُمْ لَا تَدْرُوْنَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا ۭ فَرِيْضَةً مِّنَ اللّٰهِ ۭ إِنَّ اللّٰهَ كَانَ عَلِيْمًا حَكِيْمًا

Allah instructs you concerning your children: for the male, what is equal to the share of two females. But if there are (only) females (among children), (two or) more than two, for them is two-thirds of what he (the deceased) left. And if there is only one, for her is half. And for his (deceased's) parents, to each one of them is a sixth of his estate if he left children. But if he had no children and the parents inherit from him, then for his mother is one-third. And if he had any brothers (or sisters, i.e., any siblings), for his mother is a sixth, after any bequest he (may have) made or debt. Your parents or your children—you do not know which of them are nearer to you in (terms of entitlement to) benefit (from you). [These shares are] an obligation (imposed) by Allah. Indeed, Allah is ever Knowing and Wise.

(Surah An-Nisā' Verse 11)

وَ لَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَّمْ يَكُنْ لَّهُنَّ وَلَدٌ ۚ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ الرُّبُعُ مِمَّا تَرَكْنَ مِنْ بَعْدِ وَصِيَّةٍ يُّوْصِيْنَ بِهَآ أَوْ دَيْنٍ ۭ وَ لَهُنَّ الرُّبُعُ مِمَّا تَرَكْتُمْ إِنْ لَّمْ يَكُنْ لَّكُمْ وَلَدٌ ۚ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكْتُمْ مِّنْ بَعْدِ وَصِيَّةٍ تُوْصُوْنَ بِهَآ أَوْ دَيْنٍ ۭ وَ إِنْ كَانَ رَجُلٌ يُّوْرَثُ كَلٰلَةً أَوِ امْرَأَةٌ وَّ لَهٗٓ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ ۚ فَإِنْ كَانُوْٓا أَكْثَرَ مِنْ ذٰلِكَ فَهُمْ شُرَكَآءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُّوْصٰى بِهَآ أَوْ دَيْنٍ غَيْرَ مُضَآرٍّ ۚ وَصِيَّةً مِّنَ اللّٰهِ ۭ وَ اللّٰهُ عَلِيْمٌ حَلِيْمٌ

And for you is half of what your wives leave if they have no child. But if they have a child, then for you is one-fourth of what they leave, after any bequest they may have made or debt. And for the wives is one-fourth if you leave no child. But if you leave a child, then for them is one-eighth of what you leave, after any bequest you may have made or debt. And if a man or a woman, who has been designated an heir, is a kalālah [meaning a relative other than parents and children] and has a brother or a sister, then for each one of them is a sixth. But if they are more than one, they share a third, after any bequest which was made or debt, as long as there is no harm. [This is] an ordinance from Allah, and Allah is Knowing and Forbearing. (Surah An-Nisā' Verse 12)

يَسْتَفْتُونَكَ ط قُلِ اللّٰهُ يُفْتِيكُمْ فِي الْكَلٰلَةِ ط إِنِ امْرُؤٌا هَلَكَ لَيْسَ لَهٗ وَلَدٌ وَّ لَهٗٓ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَ ج وَ هُوَ يَرِثُهَآ إِنْ لَّمْ يَكُنْ لَّهَا وَلَدٌ ط فَإِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا الثُّلُثٰنِ مِمَّا تَرَكَ ط وَ إِنْ كَانُوْٓا إِخْوَةً رِّجَالًا وَّ نِسَآءً فَلِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ ط يُبَيِّنُ اللّٰهُ لَكُمْ أَنْ تَضِلُّوْا ط وَ اللّٰهُ بِكُلِّ شَيْءٍ عَلِيْمٌ

They request from you a legal ruling. Say, 'Allah gives you a ruling concerning **Al-kalālah**. If a man dies, leaving no child, but has a sister, she will have half of what he left. And (in case the sister dies) he inherits from her (all) if she has no child. But if there are two (or more) sisters, they will have two-thirds of what he left. If there are (both) brothers and sisters, the male will have the share of two females. Allah is making clear to you lest you go astray/get confused; and Allah is Knowing of all things. (Surah An-Nisā' Verse 176)

Now, Allah willing, with the help and guidance granted by Allah Almighty, we begin to understand the law of inheritance as set forth in these verses.

يُوْصِيْكُمُ اللّٰهُ فِيْٓ أَوْلَادِكُمْ ق لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ ج فَإِنْ كُنَّ نِسَآءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ ج وَ إِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ ط

Allah instructs you concerning your children: for the male, what is equal to the share of two females. But if there are (only) females (among children), (two or) more than two, for them is two-thirds of what he (the deceased) left. And if there is only one, for her is half.

In the above-mentioned portion of the verse, Allah Almighty has given a ruling concerning children: if among the children there are both sons and daughters, then the share of a male (i.e., a son) will be equal to that of two females (i.e., two daughters). However, a question arises: when is the estate to be distributed among the children? If the total estate of the deceased is distributed among the sons and daughters in the ratio of two to one, then what will the other fixed-heirs (i.e., parents & spouse) receive?

This distribution of the estate among children in a two-to-one ratio applies only after the shares of the parents and spouse—specified later—have been apportioned. This is clearly illustrated by the example cited earlier. For ease of reference, it is repeated here:

If Zaid gives two hundred & forty rupees to his son and says, "You four brothers should divide this money equally among yourselves, and give one-third (1/3) of it to the mosque and one-fourth (1/4) of it to the orphanage," then this will necessarily mean that Zaid's son must first give eighty rupees to the mosque and sixty rupees to the orphanage, and then divide the remaining hundred rupees equally between himself and his three brothers. Thus, each brother will receive twenty-five rupees.

Continuing with the discussion of children's shares, the particle ف in the clause فَإِنْ كُنَّ نِسَآءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ but if there are only daughters, (two or) more than two, they receive two-thirds of what he (the deceased) left serves to introduce a specific case within the general category of children—namely, when the children consist exclusively of daughters and they are two or more. The particle و in وَ إِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ introduces yet another scenario within the same category of heirs—namely, when there is only a single

daughter among the children. Both clauses, therefore, fall under the broader discussion of children's shares.

The first of the **two major errors** in the conventional interpretation is the assumption that ثُلُثَا مَا تَرَكَ two-thirds of what he left refers to two-thirds of the entire estate subject to only one qualifier, whereas in fact it is subject to two. This share is governed not by one but by two qualifiers set out in the very same verses. These two qualifiers are as follows:

1- **First qualifier**: The clause مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِيۡ بِهَآ أَوۡ دَيۡنٍ after any bequest he [may have] made or debt constitutes the first qualifier. It is important to note that although this qualifier has never been stated in conjunction with the children's shares (or with the shares of deceased siblings in Verse 176), it will always be deemed implicit, even in cases where parents' and spouse's shares are not applicable due to their absence, and hence would modify the meaning of ثُلُثَا مَا تَرَكَ two-thirds of what he left to mean two-thirds of what remains of the entire estate after the fulfillment of bequest and settlement of debt (if any). Although the phrase ثُلُثَا مَا تَرَكَ two-thirds of what he left literally denotes "two-thirds of the estate", the context requires it to be understood as two-thirds of what remains after the discharge of the first qualifier.
2- **Second qualifier**: The subsequent rulings that assign shares to the parents and the spouse function as another qualifier, constituting an additional contextual limitation on the shares of two (or more) daughters as well as of a single daughter, further modifying the phrases ثُلُثَا مَا تَرَكَ two-thirds of what he left or فَلَهَا النِّصۡفُ for her is half to effectively mean *the two-thirds or one-half of the estate that remains after the settlement of bequest and debt as well as after apportioning the parents' and spouse's shares*. Since the first qualifier is treated as implied when determining the shares of children or siblings (of the deceased)—despite never being explicitly stated alongside those shares—the second qualifier should likewise be regarded as implied in the same manner. ثُلُثَا مَا تَرَكَ two-thirds of what he left would strictly mean two-thirds of the entire estate only in cases where these two qualifiers are absent.

The validity of the second qualifier is established beyond doubt when we compare the phrases specifying the shares of daughters in Verse 11 with those specifying the shares of sisters (and a lone brother) in Verse 176; we are going to see later that the siblings take the place of children in case the deceased is childless, and hence comparing the phrases specifying the children's shares with those of siblings is entirely apposite—that is, especially apt and directly relevant.

> **Verse 11** : فَلَهُنَّ ثُلُثَا مَا تَرَكَ for them is two-thirds of what he left [for (two or) more than two daughters], and فَلَهَا النِّصۡفُ for her is half (for a single daughter).
> **Verse 176** : فَلَهَا نِصۡفُ مَا تَرَكَ she will have half of what he left (for a single sister), وَ هُوَ يَرِثُهَآ إِنۡ لَّمۡ يَكُنۡ لَّهَا وَلَدٌ and he inherits from her (all) if she has no child (for a single brother) & فَإِنۡ كَانَتَا اثۡنَتَيۡنِ فَلَهُمَا الثُّلُثَانِ مِمَّا تَرَكَ but if there are two (or more) sisters, they will have two-thirds of what he left [for two (or more) sisters].

We can readily observe that, although the wording differs, the shares of daughters and sisters in the two verses are expressed in exactly the same manner!

Since the jurists take فَلَهُنَّ ثُلُثَا مَا تَرَكَ for them is two-thirds of what he left in Verse 11 to mean two-thirds of the total estate, consistency would require them to interpret, by the same principle, فَلَهَا نِصْفُ مَا تَرَكَ she will have half of what he left as half of the total estate, and وَ هُوَ يَرِثُهَآ إِن لَّمْ يَكُنْ لَّهَا وَلَدٌ and he inherits from her (all) if she has no child **as referring to the total estate**. This, however, would leave nothing for the spouse (or parents) where they are present. *In fact, the specification of the share through the phrase* وَ هُوَ يَرِثُهَآ إِنْ لَّمْ يَكُنْ لَّهَا وَلَدٌ and he inherits from her (all) if she has no child *in the case of a lone brother among the siblings of the deceased should have been sufficient for us to realize that all the phrases specifying the shares of children or siblings cited above must be understood as referring to what remains of the total estate after the allocation of parents' and spouse's shares, rather than as referring to the total estate*. (Some may wonder, on the basis of the conventional interpretation, why we have considered the parents' shares together with the share of a lone brother, given conventional view that siblings inherit only in the absence of the deceased's parents. We wish to clarify that this assumption is contrary to the Qur'an, as we shall discover later.)

This clearly shows that all the foregoing phrases specifying the shares of children and siblings must be understood as referring to the estate remaining after the settlement of debts and bequests, as well as after the allocation of shares to the parents and the spouse. So فَلَهُنَّ ثُلُثَا مَا تَرَكَ for them is two-thirds of what he left must be understood as *two-thirds of what remains after the allocation of parents' and spouse's shares, as well as after the fulfillment of any bequests and settlement of any debts*. In other words, it denotes *two-thirds of the entire estate subject to the two qualifications mentioned in the very verses that specify the shares of fixed-heirs*. As noted earlier too, all the foregoing phrases could be interpreted strictly in accordance with their wording only in the absence of the two qualifiers discussed above.

Failure to account for the second qualifier has given rise to several anomalies and has rendered the law of inheritance mathematically inconsistent. The following example illustrates our point: suppose a man is survived by his parents, his wife, and two daughters. Let's see how their shares add up under the conventional interpretation:

1/3 (parents' share) + 1/8 (wife's share) + 2/3 (daughters' share) = 27/24 = 9/8

The shares of the fixed-heirs add up to 9/8 of the estate, exceeding the total and thereby making the distribution mathematically impossible. To address the problem of the fixed shares exceeding the estate, a method known as عول proportional reduction has been devised, whereby the shares of the heirs are reduced proportionately so that their total equals the estate. However, the application of عول proportional reduction results in the parents and spouse receiving less than what Allah has prescribed for them.

Nevertheless, let us apply عول proportional reduction and see what the daughters would get under the conventional interpretation.

2/3 x 8/9 = 16/27 (16/27 of the total estate)

Now consider the same case with two sons instead of two daughters: suppose a man is survived by his parents, his wife, and two sons. The sons would collectively inherit what remains of the total estate after the shares of the parents and wife are allocated, which amounts to 13/24 of the total estate as calculated below:

Share of two sons = 1 – 1/3 (parents' share) – 1/8 (wife's share) = 13/24

Share of two daughters (16/27) > Share of two sons (13/24)

Is not it anomalous that, under the conventional interpretation, the share of two daughters turns out to be more than the share of two sons, given that Allah has clearly specified a greater share for the son than that of a daughter? Moreover, neither the parents nor the wife receive the shares prescribed for them!

Let's consider a scenario where a woman is survived by her parents, husband and a single daughter. Adding up their shares under the conventional interpretation:

1/3 (Parents' share) + 1/4 (Husband's share) + 1/2 (Daughters' share) = 13/12

Once again, the combined shares of the fixed heirs exceed the estate. **It is inconceivable that Allah would prescribe shares whose total surpasses the estate itself. It is simply impossible!**

Again, under the conventional interpretation, the doctrine of عول proportional reduction is applied, and daughter's share is adjusted to 1/2 x 12/13 = 6/13.

Had the woman been survived by a single son instead of a single daughter, the son would have received 5/12 of the total estate as illustrated below:

Share of a single son = 1 – 1/4 (husband's share) – 1/3 (parents' share) = 5/12

Share of a single daughter (6/13) *is greater than* Share of a single son (5/12)

We can again observe that the share of a single daughter (6/13) turns out to be greater than that of a single son (5/12). Had the second qualifier been applied (as is applied in cases where children consist of only sons or both sons and daughters), the daughter would not have received half of the total estate but half of what remained of the entire estate after paying off bequests and debts, as well as apportioning the parents' and spouse's shares—exactly half of what a single son would have inherited. Notice that such an allocation would have been perfectly consistent with how Allah has apportioned the shares of children. This helps further illustrate the validity of the second qualifier.

The fact of the matter is that ثُلُثَا مَا تَرَكَ two-thirds of what he left would strictly refer to two-thirds of the entire estate only in cases where there is no bequest to be fulfilled, no debt to be settled, and no other fixed-share heirs besides the daughters. However, the presence of any of these factors modifies ثُلُثَا مَا تَرَكَ two-thirds of one's estate so that it refers to two-thirds of what remains after their settlement or apportionment. In such cases ثُلُثَا مَا تَرَكَ gets contextually modified to mean two-thirds of what is left. The same principle applies to وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ and if there is only one (daughter), she receives half. It should

further be noted that such contextual modification is not limited to these expressions alone; rather quite a few phrases in these verses operate in a similar manner. For example, ثُلُثَا مَا تَرَكَ literally means 'two-thirds of what he (the male deceased) left', yet the context makes it clear that it applies equally to both male and female deceased persons. Likewise, فَإِنْ كُنَّ نِسَآءً فَوْقَ اثْنَتَيْنِ lexically means 'then if they are women **more than two**', but in its contextual sense it is understood as: but if there are (only) females (among children), **(two or) more than two**.

It is also noteworthy that the payment of bequests and debts is mentioned explicitly only in conjunction with the shares of parents, spouse and designated heir (in 4:12), and not alongside the shares of the children or siblings (of the deceased). (The shares of the siblings specified in 4:12 aren't the shares of the deceased's siblings, as we are going to see later). This clearly indicates that the parents' and spouse's shares are to be calculated first, and that the shares of children (or siblings) are to be determined from the remainder of the estate.

It should be noted that, upon applying the second qualifier, a portion of the estate will invariably remain undistributed in cases where the deceased leaves only females among children/siblings, irrespective of the presence or absence of the parents and spouse. The same situation also arises when a childless and siblingless person leaves only the mother among the parents, irrespective of the presence or absence of the spouse. The Qur'an also provides guidance regarding this remaining portion, which, إِنْ شَاءَ اللّٰه, will be discussed later.

وَ لِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهٗ وَلَدٌ

and for his [deceased] parents, to each one of them is a sixth of his estate if he left children.

This part of the verse makes it clear that if the deceased leaves children, each parent will receive one-sixth (1/6) of the total estate.

فَإِنْ لَّمْ يَكُنْ لَّهٗ وَلَدٌ وَّ وَرِثَهٗ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ

But if he had no children and the parents inherit from him, then for his mother is one-third.

In this part of the verse, Allah Almighty states that if the deceased has no children and the parents are heirs, the mother's share is one-third [(1/3) of the total estate]. From this ruling, the following points can automatically be inferred.

- If the deceased (whether male or female) has no spouse, then after giving the mother one-third of the total estate, the remaining two-thirds of the estate will go to the father.
- If the deceased is a man and he has a wife (or wives), then after giving the mother one-third (1/3) and the wife (or wives) one-fourth (1/4) of the estate, the remaining five-twelfths (5/12) will go to the father.
- If the deceased is a woman and she has a husband, then after giving the mother one-third (1/3) and the husband half (1/2) of the total estate, the remaining one-sixth

(1/6) will go to the father. It should be noted that, in matters of inheritance, the Qur'an does not lay down a universal principle that a man must invariably receive a greater share than a woman—certainly not with respect to the parents. In some situations, the father's share is equal to that of the mother; in others, it may be greater, and in a particular case, it may even be less.

- If the deceased is survived by a spouse and only the father among the parents, the father would inherit the remainder of the total estate after the spouse's share has been allocated.
- If the deceased has no inheritors other than the father, the father would inherit the total estate.
- If the deceased has only the mother among the inheritors, she would inherit one-third (1/3) of the total estate while two-third (2/3) of the total estate would remain undistributed. This should go to the inheritors as designated by the deceased, as provided in the subsequent verse (Verse 12 of Surah An-Nisā').

فَإِنۡ كَانَ لَهُۥٓ إِخۡوَةٞ فَلِأُمِّهِ ٱلسُّدُسُ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِيۡ بِهَآ أَوۡ دَيۡنٍۗ

and if he had brothers [or sisters], for his mother is a sixth, after any bequest he [may have] made or debt.

One condition for the mother to receive one-third of the total estate was already stated earlier in this verse, namely that the deceased must have no children. From this part of the verse, a second condition also gets easily inferred: the mother will receive one-third of the total estate **only if**, in addition to having no children, the deceased also has no siblings. If the deceased has no children but does have siblings, the mother's share will revert back to one-sixth. In summary, the mother's share will be one-third **only** when the deceased has neither children nor siblings. Therefore, the distribution of the estate would take place according to the six points mentioned above (in blue color) in cases where the deceased has neither children nor siblings.

Allah the Exalted, mentioned only the change that applies to the mother's share in the case where there are no children, on the basis of which it was easily understood that a corresponding change would also occur in the father's share, and his shares were easily calculated as well. When the deceased is childless but has siblings, the mother's share is reduced back to one-sixth, the following two possibilities arise regarding the father's share:

Possibility 1: The portion reduced from the mother's share will go to the father; that is, after the shares of the mother and the spouse (if present) are given, the father will inherit all of the remaining estate. (The conventional interpretation follows this possibility.)

Possibility 2: The siblings will take the place of children, and just like the mother, the father's share will also revert to one-sixth. Since Allah the Exalted mentioned only the change in the mother's share in the case where there are no children—and from this it was understood that there would also be a corresponding change in the father's share—therefore, when the (childless) deceased has siblings and the mother's share is reverted

back to one-sixth, the father's share will likewise correspondingly revert back to one-sixth, and the siblings will inherit in place of the children.

We have seen that when a childless deceased has siblings, the reversion of the mother's share back to one-sixth gives rise to two possibilities, leaving ambiguity as to which possibility should be acted upon. Allah, the Exalted has completely removed this ambiguity through Surah an-Nisā' Verse 176. Readers are requested to read Surah an-Nisā' Verse 176 (cited at the beginning of this discussion) once again with careful attention. Simply reading this verse makes it absolutely clear **that in the absence of children, the siblings become heirs in place of the children**, and the distribution of the inheritance among them follows exactly the same principles as those prescribed for children.

Therefore, in the presence of siblings, not only does the mother's share revert to one-sixth, but the father's share also reverts to one-sixth. After giving the shares of the parents and the spouse, whatever wealth remains is to be distributed among the siblings. Reflect on this portion of Surah an-Nisā', Verse 176: يُبَيِّنُ اللّٰهُ لَكُمۡ أَنۡ تَضِلُّوۡا Allah is making clear to you lest you go astray/get confused. Through this Verse (i.e., Surah an-Nisā' Verse 176), Allah the Exalted has clarified that in reality **Possibility 2** is the true ruling—namely, that in the absence of children, the deceased's siblings attain the status of fixed-heirs, and the principles of distribution among them are exactly the same as those laid down for children—and thus the ambiguity has been removed.

Readers are requested to once again read Surah an-Nisā' Verse 176 with careful attention. This verse makes it absolutely clear that there is only **one condition** for siblings to attain the status of fixed-heirs, and **that condition is the childlessness of the deceased**. Absence of parents is not at all a condition.

It should be noted here that although the principles of distribution among brothers and sisters are the same as those for sons and daughters, it is still not necessary that the shares of brothers and sisters will always be exactly the same as those of sons and daughters (had they been present). The reason for this is that in the absence of children, the share of the deceased's spouse increases (as stipulated in Surah An-Nisā', Verse 12). Therefore, in the presence of the deceased's spouse, the shares of brothers and sisters will be less than the shares of sons and daughters (had they been there). However, in the absence of the deceased's spouse, the shares of brothers and sisters will be exactly the same as those of sons and daughters (had they been present).

From the phrase مِنۢ بَعۡدِ وَصِيَّةٍ يُّوۡصِىۡ بِهَاۤ أَوۡ دَيۡنٍ after any bequest he (may have) made or debt, it is clearly understood that the distribution of inheritance is to be carried out only after fulfilling the deceased's will (bequest) and paying off debts.

اٰبَآؤُكُمۡ وَ أَبۡنَآؤُكُمۡ لَا تَدۡرُوۡنَ أَيُّهُمۡ أَقۡرَبُ لَكُمۡ نَفۡعًا ؕ فَرِيۡضَةً مِّنَ اللّٰهِ ؕ إِنَّ اللّٰهَ كَانَ عَلِيۡمًا حَكِيۡمًا

Your parents or your children—you do not know which of them are nearer to you in (terms of entitlement to) benefit (from you). [These shares are] an obligation (imposed) by Allah. Indeed, Allah is ever Knowing and Wise.

In this part of the Verse, Allah, the Exalted, states that you cannot know which of them—your parents or your children—are nearer to you in (terms of deserving material) benefit (from you). Therefore, Allah—who is All-Knowing and All-Wise—has Himself determined the shares of both parents and children.

From this part of the verse, another point can also be derived: if an heir becomes entirely harmful to the deceased—for example, if a son kills his father—he is no longer entitled to benefit and is deprived of the right of inheritance. This principle is also established in the Sunnah, where the Messenger of Allah (peace and blessings be upon him) stated: **"The killer does not inherit anything."**

وَ لَكُمۡ نِصۡفُ مَا تَرَكَ أَزۡوَاجُكُمۡ إِنۡ لَّمۡ يَكُنۡ لَّهُنَّ وَلَدٌ ۚ فَإِنۡ كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ الرُّبُعُ مِمَّا تَرَكۡنَ مِنۡ بَعۡدِ وَصِيَّةٍ يُوۡصِينَ بِهَآ أَوۡ دَيۡنٍ ؕ وَ لَهُنَّ الرُّبُعُ مِمَّا تَرَكۡتُمۡ إِنۡ لَّمۡ يَكُنۡ لَّكُمۡ وَلَدٌ ۚ فَإِنۡ كَانَ لَكُمۡ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكۡتُمۡ مِّنۡ بَعۡدِ وَصِيَّةٍ تُوۡصُوۡنَ بِهَآ أَوۡ دَيۡنٍ ؕ

And for you is half of what your wives leave if they have no child. But if they have a child, then for you is one-fourth of what they leave, after any bequest they may have made or debt. And for the wives is one-fourth if you leave no child. But if you leave a child, then for them is one-eighth of what you leave, after any bequest you may have made or debt.

From the above-mentioned part of the verse, it is clearly understood that if the deceased has no children, the share of the spouse becomes double. Reflect on the fact that Allah Almighty has mentioned the payment of bequests and debts immediately after stating the shares of parents and spouses. This indicates that after fulfilling the bequest and settling debts, the shares of the parents and the spouse should be calculated first, and then the shares of children/siblings are to be determined from the remaining wealth.

وَإِنۡ كَانَ رَجُلٌ يُّوۡرَثُ كَلٰلَةً أَوِ امۡرَأَةٌ وَّ لَهٗۤ أَخٌ أَوۡ أُخۡتٌ فَلِكُلِّ وَاحِدٍ مِّنۡهُمَا السُّدُسُ ۚ فَإِنۡ كَانُوۡۤا اَكۡثَرَ مِنۡ ذٰلِكَ فَهُمۡ شُرَكَآءُ فِي الثُّلُثِ مِنۡ بَعۡدِ وَصِيَّةٍ يُّوۡصٰى بِهَآ أَوۡ دَيۡنٍ غَيۡرَ مُضَآرٍّ ۚ وَصِيَّةً مِّنَ اللّٰهِ ؕ وَ اللّٰهُ عَلِيۡمٌ حَلِيۡمٌ

And if a man or a woman, who has been designated an heir, is a kalalah (that is, a relative other than the parents and children) and has a brother or a sister, then for each one of them is a sixth. But if they are more than one, they share a third, after any bequest which was made or debt, as long as there is no harm. (This is) an ordinance from Allah, and Allah is Knowing and Forbearing.

The word كَلٰلَة kalālah appears in the Holy Qur'an only in two places: one in this verse and the other in Surah An-Nisā' Verse 176. There is considerable confusion regarding its meaning and concept. *It is commonly understood to refer to a deceased person who has neither parents nor children*. However, a careful reading of Surah An-Nisā' Verse 176 makes it clear that this meaning cannot be correct.

Readers are requested to carefully read Surah An-Nisā' Verse 176 once again: They request from you a legal ruling. Say, 'Allah gives you a ruling concerning الۡكَلٰلَة Al-kalālah. If a man dies, leaving no child, but has a sister, she will have half of what he left. And (in case the sister dies) he inherits from her (all) if she has no child. But if there are two (or more)

sisters, they will have two-thirds of what he left. If there are (both) brothers and sisters, the male will have the share of two females. Allah is making clear to you lest you go astray/get confused; and Allah is Knowing of all things.

Even a careful reading of the above verse shows that كَلٰلَة kalālah cannot denote a deceased who leaves neither parents nor children. If it already implied both conditions, why would Allah reiterate the state of childlessness twice for the deceased (as underlined above in the translation)? Moreover, the absence of parents is not merely unmentioned—it is nowhere suggested or even faintly implied. It is also noteworthy that childlessness has not at all been stated as an inherent attribute of كَلٰلَة kalālah either; rather, it has been reiterated as a state of the deceased which grants siblings the status of fixed-heirs. In other words, the verse does not at all equate كَلٰلَة kalālah with a childless person; rather, it mentions the state of childlessness of the deceased as a condition that makes the siblings attain the status of fixed-heirs.

Furthermore, the verse refers solely to **the absence of children** as **the condition** that confers fixed-heir status to the siblings. It does not mention—nor even hint at—the absence of parents as a requirement for siblings to inherit.

The correct meaning of كَلٰلَة kalālah will be discussed a few lines later. First, it should be noted that in Surah An-Nisā' Verse 12, the shares of siblings are specified, and in Surah An-Nisā' Verse 176 also, the shares of siblings are specified. The incorrect conventional meaning of كَلٰلَة kalālah leads to the wrong assumption that the shares specified in both these verses refer to the deceased's siblings. However, the siblings' shares specified in these two verses are completely different from each other.

To resolve this apparent contradiction arising from the incorrect interpretation of the word كَلٰلَة kalālah, explanations that have no basis in the Qur'an have been offered. Even with such explanations, it remains impossible to derive a coherent system of inheritance from the Qur'an. We would see that everything falls into place once the actual meaning of كَلٰلَة kalālah is established.

Now we will discuss the correct translation/meaning of كَلٰلَة kalālah. The word كَلٰلَة kalālah is derived from the root ك ل ل which conveys the following core and interrelated meanings:

- Weakness or fatigue: For example, كَلَّ الرَّجُلُ means "the man became tired."
- To surround or encircle; the word إكليل (crown) stems from the same root, reflecting the idea of something that encircles the head.
- Indirect or collateral relations: It also denotes relatives who are neither direct ascendants nor descendants—that is, neither parents nor children—but are connected indirectly or laterally, such as siblings and similar kin.

Although ancient Arabic literature may allow room for both meanings of كَلٰلَة kalālah —namely, a person who leaves neither parents nor children, and relatives other than the parents and children—**the undeniably decisive and conclusive arbiter is the Qur'anic usage**

itself. A careful reading of the relevant verses makes clear that the Qur'an categorically excludes the meaning of كَلٰلَة kalālah as a person who leaves neither parents nor children; instead, **it affirms that** كَلٰلَة kalālah **refers to relatives other than the parents and children**.

Under this correct understanding of كَلٰلَة kalālah, the shares specified in Surah An-Nisā' Verse 12 refer to the brothers and sisters of the كَلٰلَة kalālah relative who has been designated an heir, whereas the shares specified in Surah An-Nisā' Verse 176 refer to the deceased's own brothers and sisters; and this is why the shares prescribed in these two verses differ.

Now let us return to the part of the verse that was under discussion: And if a man or a woman, who has been designated an heir, is a كَلٰلَةً kalālah and he/she has a brother or a sister, then for each one of them is a sixth. But if they are more than one, they share a third, after any bequest which was made or debt, as long as there is no harm. [This is] an ordinance from Allah, and Allah is Knowing and Forbearing. Allah states that if the man or woman who has been designated an heir is a كَلٰلَة kalālah (i.e., a relative other than parents and children) and that person has a brother or a sister, then that brother or sister will receive one-sixth of the share of that كَلٰلَة kalālah relative. And if that كَلٰلَة kalālah relative has more than one brother or sister, then all those siblings will collectively share one-third of the portion assigned to that كَلٰلَة kalālah relative, divided equally among them. To better explain this command, we are providing an example that makes everything clear.

Assume a person is survived by his parents, a wife, and two daughters. First of all, the bequests and debts, if any, have to be fulfilled/settled. We will be referring to whatever remains after the bequests and debts as the total estate. After giving one-sixth (of the total estate) to each of his parents and one-eighth (of the total estate) to his wife, a total of thirteen twenty-fourths (13/24) of the estate remains. Out of this, two-thirds [i.e., thirteen thirty-sixths (13/36) of the total estate] is to be distributed equally among the two daughters, leaving thirteen seventy-seconds (13/72) of the total estate remaining.

The deceased should designate someone as an heir for this remaining thirteen seventy-seconds (13/72). If he designates a كَلٰلَة kalālah relative (for example, a poor maternal aunt) as the heir of this portion, then Allah has also made the siblings of that كَلٰلَة kalālah heir entitled to a share in this thirteen seventy-seconds (13/72).

Suppose this poor maternal aunt has two brothers and two sisters (i.e., the deceased has two more maternal aunts as well as two uncles besides the aunt he designated). Then, from the thirteen seventy-seconds (13/72) share that was assigned to the poor maternal aunt, one-third [i.e., thirteen two hundred and sixteenths (13/216) of the total estate] will have to be divided equally among those four uncles and aunts. Thus designated poor maternal aunt will receive thirteen one hundred and eighths (13/108) of the total estate, while her four siblings would receive thirteen eight hundred sixty-fourths (13/864) of the total estate each.

In this way, the other uncles and aunts also receive a portion of the deceased's estate. (Reflect that this arrangement would instill a stronger sense of moral responsibility

in the aunt specifically—who was designated as an heir—as well as in the other uncles and aunts more generally, toward the care and support of the deceased nephew's widow and two daughters, whose need for such support is evident.)

It should be noted that the siblings of the designated heir would be entitled to a portion of the designated heir only if the designated heir is a كَلٰلَة kalālah. If the designated heir is not a كَلٰلَة kalālah but an unrelated person, then his/her siblings will not be entitled to anything of his/her share.

In this context, another important and noteworthy point is that in Surah An-Nisā' Verse 12, كَلٰلَةً kalālah occurs as an accusative noun (اِسْمٌ مَنْصُوبٌ), indicating the state or condition of the designated heir as being a collateral relative. Allah here has commanded that if the designated heir happens to be a collateral relative, then his/her siblings are automatically entitled to either one-sixth or one-third of his/her designated share (depending upon their number).

Now, read Verse 176 of Surah An-Nisā' carefully. Here, by using the definite form الكٰلٰلَة al-kalālah, Allah has given a legal ruling (فَتْوٰى) concerning الكٰلٰلَة al-kalālah, that is, collateral relatives as a class. Within that broader category of الكٰلٰلَة al-kalālah (i.e. collateral relatives), Allah implicitly singles out siblings—the nearest of the collateral relatives—as the only collateral relatives who get elevated to the status of fixed-share heirs, subject to the condition that the deceased leaves no child, and lays down for them exactly the same principles of distribution as He has for children in Verse 11. This ruling also suggests that the legal question referred to by يَسْتَفْتُونَكَ they request from you a legal ruling either concerned the inheritance rights of the collateral relatives as a class or, specifically, the inheritance rights of the siblings of a deceased who leaves no child.

In Verse 176 of Surah An-Nisā', brothers and sisters could have been mentioned directly, but by referring to them as (being among) الكٰلٰلَة al-kalālah, the meaning of the term كَلٰلَة kalālah itself is clarified—namely, that كَلٰلَة kalālah refers to relatives other than the primary fixed-share heirs. Two ambiguities were clarified thus: one the presence of siblings would not only revert the mother's share back to one-sixth (1/6) but also revert the father's share back to one-sixth and the siblings would attain the status of fixed-share heirs in their place (there was an allusion to this in Verse 11 but we could not have known it with certainty from that Verse alone). Second the meaning of the word كَلٰلَة kalālah itself got clarified. That is why Allah has stated يُبَيِّنُ اللّٰهُ لَكُمْ أَنْ تَضِلُّوْا Allah is making clear to you lest you go astray/get confused.

It is important here to distinguish between making a bequest in someone's favor and designating an additional individual—who is not originally a fixed-share heir—as an heir. Since the fulfillment of a bequest is to precede the distribution of estate among the fixed-share heirs, it can therefore be made in all cases, including those where the entire estate could potentially be exhausted by fixed-heirs. By contrast, the need to designate an additional heir arises only in situations when a portion of the estate remains even after the fixed-shares have been allotted. Note that designating an additional individual as an heir

could only be غَيْرَ مُضَآرٍّ without causing harm in cases where a portion of the estate remains undistributed even after the allocation of shares of the fixed-heirs. Notably, in cases where the total estate gets exhausted on allocation of the fixed-heirs' shares, designation of an additional individual as an heir would be مُضَآرٍّ causing harm, as it would necessarily reduce their shares specified by Allah. In a nutshell, no additional heir could be designated in cases where fixed-share heirs exhaust the total estate.

It should also be borne in mind that the verse does not require that only one person be designated as an heir; rather, multiple individuals could also be designated as heirs.

All scenarios in which the fixed heirs do not exhaust the estate are listed below. Except for the first scenario, each case requires the designation of at least one additional heir.

1. When a person dies with no parents, children, spouse, or siblings. (As none of the fixed-heirs is present, the entire estate could be disposed of through bequest in this specific case).
2. When a person dies with no children or siblings, and only the mother is alive among the parents (irrespective of the presence or absence of the spouse).
3. When a person is survived only by the spouse among the fixed heirs.
4. When a person dies leaving only females among children; in all such cases, a part of the estate will invariably remain unallocated.
5. When a childless person dies leaving only females among siblings; in all such cases, a part of the estate will invariably remain unallocated.

Although an heir can only be designated if something remains of the estate even after all the fixed-heirs have been apportioned their shares, there are two possible reasons for mentioning the phrase after any bequest which was made or debt alongside the mention of the designated heir's share in Verse 12. First, it helps distinguish between *appointing an heir* and *making a bequest*. Second, it may serve to emphasize that the designated heir's share should not be taken for granted and disbursed even before the disbursal of (female only) children/siblings' shares. It should also be noted that, even though an heir can be designated only when the fixed-share heirs don't exhaust the estate, still the remaining portion of the estate—to which he/she is designated for—can be easily calculated in advance before the actual distribution takes place. For the correct computation of shares, it is essential to observe the sequence—first the parents' and spouse's shares must be calculated, followed by the children's or siblings' shares; however, adherence to this sequence is not necessarily required when disbursing them.

But what if the deceased failed to designate an heir? In such a case, Verse 182 of Surah Al-Baqarah may reasonably be invoked and extrapolated, on the basis of its underlying spirit and purpose, to remedy this omission: someone should take the initiative, in consultation with all the fixed heirs, to designate an heir (or heirs).

Since we have already studied Verse 176 of Surah An-Nisā' in the course of our discussion on Verse 12 of the same Surah, our examination of the three verses that specify the shares of fixed heirs is now complete.

What we have derived so far is directly based on the Qur'an. We will now make some observations based on common sense, which اِنْ شَاءَ اللّٰه will not in any way contradict the Qur'an.

- Common sense suggests that a (paternal as well as maternal) half-sibling's share should be half that of a full sibling; viz., a half-brother should be entitled to half the share of a full brother, and a half-sister to half that of a full sister.
- Based on the usage of the word كَلٰلَة kalālah in the Holy Qur'an and the related ruling—the automatic entitlement of the siblings of a كَلٰلَة kalālah relative, designated as an heir, to a portion of his/her share, and the fact that siblings themselves have been referred to as belonging to الكَلٰلَة al-kalālah—I am of the view that every relative (other than the parents and children) of a person is a كَلٰلَة kalālah relative if that person's relationship with the relative's siblings is exactly the same as the relationship with that relative. For example, a person's relationship with his paternal uncle is identical to his relationship with the uncle's siblings, namely the person's other paternal uncles and paternal aunts. Accordingly, the grandfather would not qualify as كَلٰلَة, whereas a grandchild would. It seems reasonable to conclude that this helps us in narrowing down the specific meaning of كَلٰلَة kalālah as derived from the Qur'anic usage. However, this remains my personal opinion, and I do not insist upon it.
- Since the Qur'anic fixed heirs are those closest to the deceased in terms of kinship, closeness of relation should evidently be a primary consideration in the designation of any additional heir. Alongside this, the degree of financial need, as well as the likelihood that the designated heir would extend moral and practical support to the deceased's surviving female dependents, may also serve as relevant considerations. It is noteworthy that the situations in which the designation of an additional heir becomes necessary are typically those in which the deceased leaves behind female heirs who lack close male support—such as daughters or sisters without brothers among children or siblings, or a mother with neither a husband nor a son. In such cases, the surviving female dependents are often in particularly vulnerable circumstances and in greater need of protection and moral support. Accordingly, a person who is expected to have a sincere concern for the welfare and guardianship of the deceased's surviving dependents—such as ensuring that daughters or sisters are appropriately cared for and married into suitable families—would naturally be a more suitable choice for such a designation.

In summary, the principles of distribution as ordained by Allah Almighty and All-Wise in Qur'an as follows:

- First and foremost, all bequests have to be fulfilled and any outstanding debts settled (if applicable).

- **Parents' Share**: Each parent is entitled to one-sixth (1/6) of the total estate if the deceased has left anyone among either the children or the siblings. If the deceased has left no one among the children or siblings, the mother is entitled to one-third of the total estate, while the father is entitled to what remains of the total estate after apportioning the shares of the mother and the spouse, if applicable.
- **Husband's Share**: The husband is entitled to one-half (1/2) of the total estate if the wife leaves no children, and one-fourth (1/4) of the total estate if she does.
- **Wife's Share**: The wife (or wives) is entitled to one-fourth (1/4) of the total estate if the husband leaves no children, and one-eighth (1/8) of the total estate if he does.
- **Children's Shares**:
    - If the children include both sons and daughters, they inherit the remainder of the total estate after allocating the parents' and spouse's shares, with each son receiving a share equal to that of two daughters.
    - If the children consist exclusively of two or more daughters, they collectively inherit two-thirds (2/3) of the remainder of the total estate after allocating the parents' and spouse's shares, divided equally among them.
    - If there is only one daughter among the children, she inherits half (1/2) of the remainder of the total estate after allocating the parents' and spouse's shares.
- If the deceased leaves no children but has siblings, the siblings are entitled to inherit in accordance with the same principles prescribed for children, as set out above.
- In all cases where the fixed-heirs do not exhaust the entire estate, the deceased should designate one or more heirs to receive the residue of the estate. If a designated heir is a كَلٰلَة kalālah who has one sibling (a brother or sister), that sibling is entitled to one-sixth (1/6) of the portion of the residue allocated to the designated heir. If the designated كَلٰلَة kalālah heir has more than one sibling, those siblings are collectively entitled to one-third (1/3) of the portion of the residue allocated to that designated heir, to be divided equally among them. If the designated heir is not a كَلٰلَة kalālah, his or her siblings are not entitled to any portion allocated to that heir.

Surah An-Nisa Verses 5–10 are also relevant in the context of inheritance, but are not cited here for the sake of brevity, as they do not lay down the rules of distribution. Readers are, however, encouraged to refer to them as well.

May Allah guide us to The Right Path and increase us in Knowledge.

Syed Usman